

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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MICHAEL MATTHEW REVELES,

ORDER

Petitioner,

10-cv-201-slc<sup>1</sup>

v.

ANA M. BOATWRIGHT, Warden,  
New Lisbon Correctional Institution,

Respondent.  
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Michael Matthew Reveles, an inmate at the New Lisbon Correctional Institution, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. He is asserting several claims, some of which he has exhausted in state court and others that he is litigating currently. In an order dated May 10, 2010, I denied petitioner's request that this court stay the federal habeas proceedings while he exhausts his claims in state court, finding that sufficient time remained on petitioner's one-year statute of limitations such that a stay was unnecessary. Dkt. #9. I asked petitioner to inform the court whether he would like to proceed only with his exhausted claims or dismiss the petition in its entirety and re-file it after he exhausts all

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<sup>1</sup> For the purpose of issuing this order, I am assuming jurisdiction over this case.

of his claims.

Petitioner has responded, stating that he wishes to dismiss his habeas petition and resubmit it after he has completed the state appellate process. Dkt. #10. Therefore, I will dismiss the petition in its entirety without prejudice. Once petitioner has completed the state appellate process, he may resubmit his petition, if necessary. Petitioner is advised that he should act diligently to insure that his federal habeas clock does not expire before he resubmits his habeas petition.

ORDER

IT IS ORDERED that Michael Matthew Reveles's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is dismissed without prejudice for failure to exhaust his state court remedies.

Entered this 18th day of May, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB  
District Judge